

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

HODGSON RUSS LLP

Erin N. Teske, Esq.  
605 Third Avenue, Suite 2300  
New York, New York 10158  
Telephone: (212) 751-4300  
Email: [eteske@hodgsonruss.com](mailto:eteske@hodgsonruss.com)

HODGSON RUSS LLP

James C. Thoman, Esq. (*pro hac vice* pending)  
140 Pearl Street, Suite 100  
Buffalo, New York 14202  
Telephone: (716) 856-4000  
Email: [jthoman@hodgsonruss.com](mailto:jthoman@hodgsonruss.com)

Counsel for Benchmark-Clarence Associates,  
LLC and SRK Lady Lake 21 SPE, LLC

In Re:

BED BATH & BEYOND INC., *et al.*,

Debtors.<sup>1</sup>

Case. No.: 23-13359 (VFP)

Chapter: 11

Judge: Vincent F. Papalia

**CERTIFICATION OF SERVICE**

1. I, Christine Napierski:

☐ represent in this matter.

☒ am the secretary/paralegal for Hodgson Russ LLP, who represents Benchmark-Clarence Associates, LLC and SRK Lady Lake 21 SPE, LLC in this matter.

☐ am the in this case and am representing myself.

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

2. On June 27, 2023, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below.

Limited Objection and Reservation of Rights of Benchmark-Clarence Associates, LLC and SRK Lady Lake 21 SPE, LLC to Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases.

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Date: June 27, 2023

/s/ Christine Napierski

Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Kirkland & Ellis LLP 601 Lexington Avenue New York, New York 10022 Joshua A. Sussberg, P.C. Emily E. Geier, P.C. Derek I. Hunter Ross J. Fiedler <a href="mailto:Joshua.sussberg@kirkland.com">Joshua.sussberg@kirkland.com</a> <a href="mailto:Emily.geier@kirkland.com">Emily.geier@kirkland.com</a> <a href="mailto:Derek.hunter@kirkland.com">Derek.hunter@kirkland.com</a> <a href="mailto:Ross.fiedler@kirkland.com">Ross.fiedler@kirkland.com</a>	Counsel to the Debtors	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other E-Mail and CM/ECF (As authorized by the Court or by rule. Cite the rule if applicable.) Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 98].
Cole Schotz P.C. Court Plaza North 25 Main Street Hackensack, New Jersey 07601 Michael D. Sirota, Esq. Warren A. Usatine, Esq. Felice R. Yudkin, Esq. <a href="mailto:msirota@coleschotz.com">msirota@coleschotz.com</a> <a href="mailto:wusatine@coleschotz.com">wusatine@coleschotz.com</a> <a href="mailto:fyudkin@coleschotz.com">fyudkin@coleschotz.com</a>	Co-Counsel to the Debtors	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other E-Mail and CM/ECF (As authorized by the Court or by rule. Cite the rule if applicable.) Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 98].
Davis Polk & Wardell LLP 450 Lexington Avenue New York, New York 10017 Marshall S. Huebner Adam L. Shpeen	Counsel to Prepetition ABL Agent	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR

<p>Steven Z. Szanzer Michael Pera <a href="mailto:Marshall.huebner@davispolk.com">Marshall.huebner@davispolk.com</a> <a href="mailto:Adam.shpeen@davispolk.com">Adam.shpeen@davispolk.com</a> <a href="mailto:Steven.szanzer@davispolk.com">Steven.szanzer@davispolk.com</a> <a href="mailto:Michael.pera@davispolk.com">Michael.pera@davispolk.com</a></p>		<p><input checked="" type="checkbox"/> Other E-Mail and CM/ECF (As authorized by the Court or by rule. Cite the rule if applicable.) Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 98].</p>
<p>Office of the United States Trustee, Region 3 District of New Jersey One Newark Center 1085 Raymond Blvd., Suite 2100 Newark, New Jersey 07102 Fran B. Steele <a href="mailto:Fran.b.steele@usdoj.gov">Fran.b.steele@usdoj.gov</a></p>	<p>United States Trustee</p>	<p><input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other E-Mail and CM/ECF (As authorized by the Court or by rule. Cite the rule if applicable.) Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 98].</p>
<p>Proskauer Rose LLP Eleven Times Square New York, New York 10036 David M. Hillman Megan R. Volin <a href="mailto:dhillman@proskauer.com">dhillman@proskauer.com</a> <a href="mailto:mvolin@proskauer.com">mvolin@proskauer.com</a></p>	<p>Counsel to DIP Agent</p>	<p><input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other E-Mail and CM/ECF (As authorized by the Court or by rule. Cite the rule if applicable.) Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 98].</p>

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
<p>Pachulski Stang Ziehl &amp; Jones LLP  780 Third Avenue, 34th Floor  New York, New York 10017  Robert J. Feinstein, Esq.  Bradford J. Sandler, Esq.  Paul J. Labov, Esq.  Colin R. Robinson, Esq.  <a href="mailto:rfeinstein@pszjlaw.com">rfeinstein@pszjlaw.com</a>  <a href="mailto:bsandler@pszjlaw.com">bsandler@pszjlaw.com</a>  <a href="mailto:plabov@pszjlaw.com">plabov@pszjlaw.com</a>  <a href="mailto:crobinson@pszjlaw.com">crobinson@pszjlaw.com</a></p>	<p>Counsel to Creditors' Committee</p>	<p><input type="checkbox"/> Hand-delivered  <input type="checkbox"/> Regular mail  <input type="checkbox"/> Certified mail/RR  <input checked="" type="checkbox"/> Other E-Mail and CM/ECF  (As authorized by the Court or by rule. Cite the rule if applicable.)  Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 98].</p>
<p>Gibbons P.C.  One Gateway Center  Newark, New Jersey 07102  Robert K. Malone, Esq.  Brett S. Theisen, Esq.  Kyle P. Mcevilly, Esq.  <a href="mailto:rmalone@gibbonslaw.com">rmalone@gibbonslaw.com</a>  <a href="mailto:btheisen@gibbonslaw.com">btheisen@gibbonslaw.com</a>  <a href="mailto:kmcevilly@gibbonslaw.com">kmcevilly@gibbonslaw.com</a></p>	<p>Co-Counsel to Creditors' Committee</p>	<p><input type="checkbox"/> Hand-delivered  <input type="checkbox"/> Regular mail  <input type="checkbox"/> Certified mail/RR  <input checked="" type="checkbox"/> Other E-Mail and CM/ECF  (As authorized by the Court or by rule. Cite the rule if applicable.)  Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 98].</p>
<p>Wachtell Lipton Rosen &amp; Katz  51 West 52nd Street  New York, New York 10019  Scott K. Charles, Esq.  Michael S. Benn, Esq.  Gordon S. Moodie, Esq.  <a href="mailto:SKCharles@wlrk.com">SKCharles@wlrk.com</a>  <a href="mailto:MSBenn@wlrk.com">MSBenn@wlrk.com</a>  <a href="mailto:GSMoodie@wlrk.com">GSMoodie@wlrk.com</a></p>	<p>Counsel to Stalking Horse Bidder</p>	<p><input type="checkbox"/> Hand-delivered  <input type="checkbox"/> Regular mail  <input type="checkbox"/> Certified mail/RR  <input checked="" type="checkbox"/> Other E-Mail and CM/ECF  (As authorized by the Court or by rule. Cite the rule if applicable.)  Order Establishing Certain Notice, Case Management, and Administrative Procedures [Docket No. 98].</p>